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UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO/OAKLAND DIVISION

V.L. V. WAGNER, CASE NO. CV-09-04668 CW  
STIP. & ORDER CONTINUING THE FURTHER CONFERENCE MANAGEMENT CONFERENCE PENDING  
RESOLUTION OF DEF'S PRELIMINARY INJUNCTION APPEAL IN THE 9<sup>TH</sup> CIRCUIT

1        WHEREAS defendants' preliminary injunction appeal is currently pending in  
2 the Ninth Circuit;

3        WHEREAS oral argument on that appeal was heard and the matter submitted  
4 on June 15, 2010; and

5        WHEREAS the parties agree that it would be more efficient for the Court and  
6 the parties to continue the further case management conference pending resolution of  
7 the preliminary injunction appeal:

8        IT IS HEREBY STIPULATED between the parties through their respective  
9 counsel that, subject to Court approval:

- 10      1. The further case management conference scheduled for September 7, 2010 is  
11        taken off calendar.
- 12      2. The further case management conference will be rescheduled for November  
13        9, 2010 at 2:00 PM.
- 14      3. The parties, by filing another Stipulation and Order, may request an earlier  
15        or later date for the further case management conference depending on the  
16        date the Ninth Circuit issues its opinion.

17  
18      Dated: September 3, 2010

Respectfully submitted,

19      /s/ Frederick P. Nisen

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Dated: September 3, 2010

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Dated: September 3, 2010

Respectfully submitted,

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## GENERAL ORDER 45 ATTESTATION

I, Frederick P. Nisen, am the ECF user whose ID and password are being used to file this stipulation and proposed order. In compliance with General Order 45, X.B., I hereby attest that plaintiffs' counsel have concurred in the filing of this document with their electronic signatures.

Dated: August 3, 2010

/s/ Frederick P. Nisen  
Frederick P. Nisen

GOOD CAUSE APPEARING, PURSUANT TO STIPULATION, IT IS SO ORDERED.

**September 14 Case Management Conference is rescheduled to November 9.**

DATED: 9/9/2010

The Honorable Claudia Wilken  
United States District Judge

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